

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
TREGO/DUGAN AVIATION OF GRAND)	FCC File No. 0005249059
ISLAND, INC.)	
)	
For New Aeronautical Advisory Station at Duluth)	
International Airport, Minnesota)	

ORDER

Adopted: November 6, 2012

Released: November 7, 2012

By the Deputy Division Chief, Mobility Division, Wireless Telecommunications Bureau:

1. *Introduction.* We have before us an application filed by Trego/Dugan Aviation of Grand Island, Inc. (Trego)¹ for a new aeronautical advisory station (unicom) to serve the Duluth International Airport, and a petition to deny the application filed by Monaco Air Duluth LLC (Monaco).² For the reasons stated below, we deny the petition and will process the application.

2. *Background.* Unicom are used to provide safety-related and other information to aircraft, primarily general aviation aircraft.³ Unicom transmissions generally are limited to the necessities of safe and expeditious operation of aircraft, such as types of fuel available, dispatching, and other necessary safety information, but unicom may also transmit, on a secondary basis, information pertaining to the efficient portal-to-portal transit of an aircraft, such as information concerning available ground transportation, food, and lodging.⁴ Unicom must provide service to any aircraft station upon request and without discrimination, and must provide impartial information concerning available ground services.⁵

3. Currently, Monaco operates the only unicom at Duluth International Airport, under call sign WQKA265. Because Duluth International Airport operates a full time FAA control tower, however, there is no limit on the number of unicom that may serve the airport.⁶ The instant application would, if granted, permit another licensed unicom service at the airport. Monaco argues that the application should be denied because Trego is not a fixed base operator (FBO)⁷ and will not use the unicom frequency for its intended purpose of serving any aircraft station upon request but instead intends to use it for ground

¹ FCC File No. 0005249059 (filed June 20, 2012).

² Petition to Deny filed by Michael A. Magni (filed July 12, 2012) (Petition).

³ 47 C.F.R. § 87.5.

⁴ 47 C.F.R. § 87.213(b).

⁵ 47 C.F.R. § 87.213(a).

⁶ 47 C.F.R. § 87.215(b).

⁷ A fixed base operator is a commercial business granted the right by an airport to operate on the airport and provide aeronautical services such as fueling, hangaring, tie-down and parking, aircraft rental, aircraft maintenance, and flight instruction.

handling operations for Allegiant Airlines.⁸

4. *Discussion.* We find no evidence to support Monaco's claim that Trego is not a FBO and will operate its unicom to communicate only with Allegiant Air. Trego's application indicates that the service of the station will be available to any aircraft desiring use of it.⁹ Further, we note that Trego is licensed for unicom at six other locations.¹⁰ We conclude that the petition does not provide sufficient information to support denying the application under our unicom rules and policies.¹¹

5. *Conclusion.* The petition cites no Commission rule or policy that could serve as the basis for denying or dismissing Trego's application. Accordingly, we deny the petition and will process the application.

6. Accordingly, IT IS ORDERED pursuant to Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 303(r), and Section 87.215(b) of the Commission's Rules, 47 C.F.R. § 87.215(b), that the Petition to Deny filed July 12, 2012 by Monaco Air Duluth LLC against the captioned application IS DENIED, and application FCC File No. 0005249059 filed by Trego/Dugan Aviation of Grand Island, Inc. on June 20, 2012 SHALL BE PROCESSED.

7. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau

⁸ See Petition at 1. Monaco states that other scheduled airlines at the airport use unique frequencies for their airline communications.

⁹ See FCC File No. 0005249059, Schedule G, question 2.

¹⁰ See Call Signs WQMA239, Grand Island, Nebraska; WQMY622, Pueblo, Colorado; WQNA964, Minot, North Dakota; WQOE476, Bismarck, North Dakota; WQOL642, Newport News, Virginia; and WRA8, North Platte, Nebraska.

¹¹ Cf. City of Galveston, Texas, *Order*, 14 FCC Rcd 12274 (WTB PSPWD 1999).